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December 22, 2022

BY ECF

The Honorable Paul G. Gardephe
United States District Court for the
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Jane Doe v. John Roe*, No. 1:22-CV-08779-PGG-SLC

Dear Judge Gardephe:

I write on behalf of Plaintiff Jane Doe, to request an adjournment of the February 2, 2023 pretrial conference until April or May 2023 in order to allow service of process to be properly effectuated on Defendant in Japan.

As the Court is aware, Defendant is a resident of Japan who must be served pursuant to the Hague Convention, unless service can be completed when he is within a judicial district of the United States. *See* Japan – Central Authority & practical information, HCCH (last visited Dec. 22, 2022), <https://www.hcch.net/en/states/authorities/details3/?aid=261>. Although Rule 4(m)'s 90-day time limit does not apply to service of an individual in a foreign country, Plaintiff has diligently proceeded with service upon Defendant. Notwithstanding our efforts, however, we anticipate that service upon Defendant is likely to require several more months to complete.

To provide additional context, pursuant to the Hague Convention's requirements, Plaintiff has translated the as-filed papers in this case into Japanese and provided them, along with Your Honor's Individual Practices, to the Japanese Central Authority. With this step complete, Plaintiff's service vendor anticipates that the Japanese Central Authority's efforts to effectuate service will take another three to four months.¹

¹ Plaintiff acknowledges that Your Honor's Individual Practices require requests for adjournment to state suggested dates on which all parties are available and whether the adversary consents. Because of the circumstances of this request, providing that information is not possible.

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2

Accordingly, Plaintiff requests an adjournment of the February 2, 2023 pretrial conference until April or May 2023, which we hope will be after service has been completed. If Plaintiff receives an affidavit of service on Defendant prior to that time, Plaintiff will promptly notify the Court.

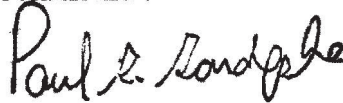
We appreciate the Court's attention to this matter.

Respectfully submitted,


Roberta A. Kaplan

MEMO ENDORSED: The application is GRANTED.
The conference currently scheduled for February 2, 2023,
is adjourned to May 4, 2023, at 10:00 a.m.

SO ORDERED.



Paul G. Gardephe
United States District Judge

Dated: December 29, 2022